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PENCE STATEMENT ON PASSAGE OF CHILDREN'S SAFETY AND VIOLENT CRIME REDUCTION

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WASHINGTON, D.C. - U.S. Congressman Mike Pence, a member of the House Judiciary Committee, spoke today on the floor of the U.S. House of Representatives about the passage of the Children's Safety and Violent Crime Reduction Act of 2005. His comments follow:

"Mr. Speaker, yesterday the House of Representatives passed the Children's Safety and Violent Crime Reduction Act of 2005 (H.R. 4472). I am a strong supporter of this legislation, and I hail its passage.

"Title VI of this legislation is drawn from a bill that I introduced in the First Session of the 109th Congress, the Child Pornography Prevention Act of 2005. As the title states, the intent of my legislation is to prevent American children from becoming victims of pornography because we know that the fuel that fires the wicked hearts of child predators is child pornography.

“Every day in America, children are exploited in pornography - sometimes by those closest to them in their homes, and sometimes by commercial producers. In the home, children are forced to pose for pornographic pictures or act in pornographic videos by family members, family friends, caretakers and other trusted individuals who violate that trust. These pictures and videos are posted on the Internet or surreptitiously spread to sexual predators. In the commercial arena and Hollywood, as our culture has become more and more youth-oriented and sex has become more and more prevalent, we must ensure that children are not being used in these productions and provide law enforcement with tools to prosecute those who exploit children.

“A main tenet of my legislation is the addition of language that will fix a technicality that so-called ‘home pornographers’ have used to evade federal prosecution on child pornography charges. Home pornographers use digital cameras, Polaroid cameras and video cameras to make pornographic pictures and videos of children, and they download child pornography from the Internet onto their home computers. My legislation makes clear that federal prosecutions of home pornographers can proceed in federal courts because their activities impact interstate commerce. This is a fix that must be made now in order to protect children at home.

“Another element of my bill is the addition of a new section to the criminal code, Section 2257A, which adds a record-keeping requirement that will force people in the entertainment industry to keep records of the names and ages of their subjects, along with proof of their identification, when they are engaged in simulated sexual activity. Anytime Hollywood uses a simulated sex act in a soap opera, cable television show, movie or other production, a record should be kept to show that a child was not used in that simulated sex act. Heretofore, the law only required such a record to be kept if hard-core pornography with actual sex was being produced. But, if a child is used in a simulated sex act, the impact on such abuse on that child is just as real as it would have been in a production with actual sex. Therefore, my bill requires that these records be kept for simulated sex because by doing so the bad actors in Hollywood and the entertainment industry will be deterred from using children.

“My bill goes a step further by requiring that records be kept for lascivious exhibitions - nude photographs and displays. No child should be used in either nude pictures or sexually explicit materials because these items only serve to inflame the prurient interest in child predators. Requiring that records be kept will serve as a deterrent. Additionally, my bill requires that the records be made available to investigators for inspection. Failure to keep the records or allow inspections carries a punishment of up to five years in prison. By strengthening the law in this manner, we will provide both a strong deterrent to the use of children in sexually explicit materials and the necessary tools to law enforcement to investigate and prosecute those who are not deterred.

“Finally, the legislation expands the ability of investigators and prosecutors to pursue the people who are used to distribute child pornography. These distributors also will be required to follow the record-keeping provision, and this will provide law enforcement with a powerful tool to use against them. These are devious people who work in cohorts with pornographers to sell child pornography, but who currently can work out of sham corporations to avoid prosecution. My legislation will empower prosecutors with the ability to charge and convict these people.

“Providing law enforcement with the tools to combat child pornography contained in my legislation is a much-needed and overdue step that must be taken to protect our children from those in our society who have no decency and know no shame.

“Mr. Speaker, I hail the passage of the Child Pornography Prevention Act as a part of the Children’s Safety and Violent Crime Reduction Act of 2005. It is time to protect our children, and yesterday we took a great step toward that goal.”

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